

**A RESOLUTION BY
FINANCE/EXECUTIVE COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO SOLE SOURCE AGREEMENT NO. SS-6168-PL WITH INTERNATIONAL BUSINESS MACHINES, CORPORATION FOR SOFTWARE LICENSES AND TECHNICAL SUPPORT SERVICES FOR THE IBM TIVOLI MAXIMO ASSET MANAGEMENT SYSTEM, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED THIRTEEN THOUSAND, TWO-HUNDRED FIFTY-SIX DOLLARS AND FORTY-FOUR CENTS (\$113,256.44); ALL CONTRACT WORK SHALL BE CHARGED TO AND PAID FROM FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER 5051 (WATER & WASTEWATER REVENUE) 170113 (DWM-INFORMATION SYSTEMS) 5213001 (CONSULTING/PROFESSIONAL) 1535000 (DATA PROCESSING / MANAGEMENT); AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta (“City”) secured the International Business Management, Corporation (“IBM”) Maximo Asset Management System (“IBM Maximo”) and computerized licenses to support the need to input/receive data and manage the maintenance of equipment for R.M. Clayton, Utoy Creek, South River, Intrenchment Creek wastewater treatment plants and various combined sewer overflow and pump station facilities, on behalf of the Department of Watershed Management (“Department”); and

WHEREAS, IBM is the sole software license and technical support service provider for the IBM Maximo; and

WHEREAS, the Chief Procurement Officer determined that IBM is the sole source for software licenses and technical support services for the IBM Maximo, in accordance with City Code of Ordinances Section 2-1191; and

WHEREAS, the City authorized a Sole Source Agreement with IBM for IBM Maximo software licenses, on behalf of the Department, pursuant to Resolution 08-R-1527; and

WHEREAS, the City authorized a second Sole Source Agreement with IBM for technical support services for the IBM Maximo, on behalf of the Department, pursuant to 10-R-1777; and

WHEREAS, the City authorized a third Sole Source Agreement with IBM for technical support services for the IBM Maximo, on behalf of the Department, pursuant to 11-R-1296; and

WHEREAS, the City authorized a fourth Sole Source Agreement with IBM for technical support services for the IBM Maximo, on behalf of the Department, pursuant to 12-R-0097; and

WHEREAS, the Department desires to secure a fifth Sole Source Agreement with IBM for software licenses and technical support services for the IBM Maximo; and

WHEREAS, software licenses and technical support services for the IBM Maximo may only be acquired from IBM and the Chief Procurement Officer has determined that IBM is the sole source for software license and technical support services for the IBM Maximo, in accordance with City Code of Ordinances Section 2-1191; and

WHEREAS, the Commissioner of the Department of Watershed Management and the Chief Procurement Officer recommend a sole source agreement for software licenses and technical support services for the IBM Maximo with IBM in an amount not to exceed One Hundred Thirteen Thousand, Two-Hundred Fifty-Six Dollars and Forty-Four Cents (\$113,256.44).

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY RESOLVES, that the Mayor, or his authorized designee, is authorized to enter into Sole Source Agreement No. SS-6168-PL with International Business Management, Corporation (“IBM”) for Software Licenses and Technical Support Services for the IBM Tivoli Maximo Asset Management System, on behalf of the Department of Watershed Management, in an amount not to exceed One Hundred Thirteen Thousand, Two-Hundred Fifty-Six Dollars and Forty-Four Cents (\$113,256.44);

BE IT FURTHER RESOLVED, that the term of the Agreement shall be from April 1, 2013 through October 31, 2013;

BE IT FURTHER RESOLVED, that the Chief Procurement Officer, in consultation with the City Attorney, is directed to prepare all appropriate documents for execution by the Mayor;

BE IT FURTHER RESOLVED, that the Agreement will not become binding on the City and the City will incur no obligation or liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney and delivered to IBM; and

BE IT FINALLY RESOLVED, that all contract work shall be charged to and paid from Fund Department Organization And Account Number 5051 (Water & Wastewater Revenue) 170113 (DWM-Information Systems) 5213001 (Consulting/Professional) 1535000 (Data Processing/Management).

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: Finance Executive

Caption: A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE SOLE SOURCE PROCUREMENT NO. SS-6168-PL WITH IBM CORPORATION FOR TECHNICAL SUPPORT SERVICES OF THE IBM TIVOLI MAXIMO ASSET MANAGEMENT SYSTEM ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED THIRTEEN THOUSAND, TWO-HUNDRED FIFTY-SIX DOLLARS AND FORTY-FOUR CENTS (\$113,256.44); ALL CONTRACT WORK SHALL BE CHARGED TO AND PAID FROM FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER 5051 (WATER & WASTEWATER REVENUE) 170113 (DWM-INFORMATION SYSTEMS) 5213001 (CONSULTING/PROFESSIONAL) 1535000 (DATA PROCESSING / MANAGEMENT); AND FOR OTHER PURPOSES.

Council Meeting Date: March 18, 2013

Requesting Dept.: Watershed Management

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

Example: *The purpose of this legislation is to anticipate funds from a local assistance grant to purchase child safety seats.*

The purpose of this legislation is to purchase a software subscription and support agreement for the Department of Watershed Management's IBM Maximo Asset Management System from IBM Corporation in an amount not to exceed One Hundred Thirteen Thousand, Two-Hundred Fifty-Six Dollars and Forty-Four Cents (\$113,256.44).

2. Please provide background information regarding this legislation.

Example: *The task force of homelessness conducted a study regarding homelessness, its impact and consequences on the City. This resolution reflects the Mayor's desire to open a twenty-four hour center that will respond to the needs of the homelessness in Atlanta.*

The Department of Watershed Management's Bureau of Wastewater Treatment & Collections currently uses the IBM Maximo Asset Management System to manage the maintenance of equipment for drinking water and wastewater treatment plants, various combined sewer

overflow and pump station facilities. This resolution is to maintain the software support for this software system. The Maximo software product is licensed solely by IBM Corporation and is the sole source of product updates.

3. If Applicable/Known:

- (a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):** Professional Services
- (b) **Source Selection:** Sole Source
- (c) **Bids/Proposals Due:** N/A
- (d) **Invitations Issued:** N/A
- (e) **Number of Bids:** N/A
- (f) **Proposals Received:** N/A
- (g) **Bidders/Proponents:** N/A
- (h) **Term of Contract:** February 1, 2013 - October 31, 2013 (9 months Bridge Agreement)

4. Fund Account Center (Ex. Name and number): Fdoa: 5051 (Water & Wastewater Revenue Fund) 170113 (Dwm – Information Systems) 5213001 (Consulting/Professional Services – Technical) 1535000 (Data Processing/Management Information System). In A Not To Exceed Amount One Hundred Thirteen Thousand, Two-Hundred Fifty-Six Dollars And Forty-Four Cents (\$113,256.44).

Fund: _____ **Account:** _____ **Center:** _____

5. Source of Funds: Example: Local Assistance Grant : FDOA: 5051 (Water & Wastewater Revenue Fund) 170113 (Dwm – Information Systems) 5213001 (Consulting/Professional Services – Technical) 1535000 (Data Processing/Management Information System) in an amount not to exceed One Hundred Thirteen Thousand, Two-Hundred Fifty-Six Dollars And Forty-Four Cents (\$113,256.44).

6. Fiscal Impact: This legislation will result in a reduction in the amount of One Hundred Thirteen Thousand, Two-Hundred Fifty-Six Dollars And Forty-Four Cents (\$113,256.44) to FDOA: 5051 (Water & Wastewater Revenue Fund) 170113 (Dwm – Information Systems) 5213001 (Consulting/Professional Services – Technical) 1535000 (Data Processing/Management Information System).

Example: This legislation will result in a reduction in the amount of _____ to Fund Account Center Number _____.

7. Method of Cost Recovery: N/A

Examples:

- a. Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.***
- b. Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.***

This Legislative Request Form Was Prepared By: Cynthia L. Lunn, Watershed Procurement Manager.
ext. 6096

Legislation Summary

Committee of Purview:

Caption

A resolution authorizing the Mayor to execute an appropriate contractual agreement on behalf of the Department of Watershed Management with IBM Corporation in an amount not to exceed one hundred thirteen thousand two hundred fifty six dollars and forty four cents (\$113,256.44). All contract work shall be charged to and paid from fund department organization and account number: 5051 (Water & Wastewater Revenue), 170113 (DWM-Information Systems), 5213001 (Consulting/Professional), 1535000 (Data Processing/Management).

Council Meeting Date: March 18, 2013

Legislation Title: Resolution authorizing the Chief Procurement Officer to utilize in Pursuant to City Code Section 2-1191 (Sole Source Procurement), for SS-6168-PL for the purpose of IBM Tivoli Maximo Asset Management System on behalf of the Department of Watershed Management in an amount not to exceed one hundred thirteen thousand two hundred fifty six dollars and forty four cents (\$113,256.44). All contract work shall be charged to and paid from fund department organization and account number: 5051 (Water & Wastewater Revenue), 170113 (DWM-Information Systems), 5213001 (Consulting/Professional), 1535000 (Data Processing/Management).

Requesting Department: Department of Watershed Management

Contract Type: N/A

Source Selection: Pursuant to City Code Section 2-1191 (Sole Source Procurement)

Bids/Proposals Due: N/A

Invitations Issued: N/A

**Number of Bids/
Proposals Received:** N/A

Bidders/Proponents:	N/A
Justification Statement:	N/A
Background:	N/A
Fund Account Centers:	5051 (Water & Wastewater Revenue), 170113 (DWM-Information Systems), 5213001 (Consulting/Professional), 1535000 (Data Processing/Management).
Source of Funds:	N/A
Fiscal Impact:	N/A
Term of Contract:	N/A
Method of Cost Recovery:	N/A
Approval: DOF: DOL:	
Prepared By:	Patricia Lowe, Buyer
Contact Number:	404.330.6583



CITY OF ATLANTA
DEPT. OF PROCUREMENT

2012 OCT 26 PM 3:17


KASIM REED
MAYOR

CITY OF ATLANTA
55 TRINITY AVENUE, SW, SUITE 5400, SOUTH BLDG.
ATLANTA, GEORGIA 30303-0324
OFFICE (404) 330-6081
FAX (404) 658-7194

DEPARTMENT OF
WATERSHED MANAGEMENT
JO ANN J. MACRINA, PE
Commissioner

M E M O R A N D U M

TO: Adam L. Smith, Chief Procurement Officer
Department of Procurement

FROM: Jo Ann J. Macrina, P.E., Commissioner
Department of Watershed Management 

DATE: October 25, 2012

RE: **LEGISLATIVE REQUEST FOR SOLE SOURCE APPROVAL - REVISED
IBM Maximo Asset Management Software Subscription and Support**

*Contractor: International Business Machines Corporation (IBM)
Period of Coverage: February 1, 2013 – October 31, 2013*

Please prepare the appropriate legislation for a Sole Source Agreement for Cycle 21, (October 1, 2012), with IBM Corporation for the period effective February 1, 2013 thru October 31, 2013 (9 months bridge agreement). The Department of Watershed Management currently uses the IBM Maximo approval of IBM, as a sole source vendor for the renewal of software maintenance and support for IBM Maximo Asset Management System to manage the maintenance of equipment for drinking water and wastewater treatment plants, various combined sewer overflow and pump station facilities. The Maximo software product is licensed solely by IBM Corporation and is the sole source of product updates.

These services shall be charged to and paid from:

**FDOA: 5051 (WATER & WASTEWATER REVENUE FUND) 170113 (DWM – INFORMATION SYSTEMS)
5213001 (CONSULTING/PROFESSIONAL SERVICES – TECHNICAL) 1535000 (DATA
PROCESSING/MANAGEMENT INFORMATION SYSTEM), IN A NOT TO EXCEED AMOUNT OF ONE
HUNDRED FORTY-FIVE THOUSAND SIX HUNDRED FIFTEEN DOLLARS AND FORTY-TWO CENTS
(\$145,615.42).**

Attached is a copy of the requisition, Quote No.15937270 and a sole source confirmation letter for your perusal.

If you have any additional questions concerning this matter, please feel free to contact Cynthia L. Lunn, Watershed Procurement Manager, at (404) 330-6096.

Your assistance in this matter is appreciated.

/c/l

Attachment (s)

C: Mohammed M. Balla, Interim Deputy Commissioner – DWM
Michael Dogan, Interim Chief Information Officer - DIT
Daphne Rackley, Interim Deputy Chief Information Officer – DWM/BIT
Keith Toomer, Director of IT Services, DWM/BIT
Russell Carboni – DWM
David Chapman Deputy Chief Procurement Officer – DOP
Patricia Lowe, Buyer - DOP
Maisha Land-Wood, Legislative Manager - DWM
Cynthia Lunn, Watershed Procurement Manager – DWM

International Business Machines Corporation

International Business Machines Corporation, PO Box 643600, Pittsburgh, PA 15264-3600



IBM Software Quotation

Attn: Russ Carboni
City Of Atlanta
55 Trinity Avenue
ATLANTA GA 30303
UNITED STATES

06-Feb-2013

Passport Advantage Agreement Number:
IBM Customer Number: 1753605
Relationship SVP Level:

Passport Advantage Site Number: 7927363
Quotation SVP Level: GV

Dear Customer:

Thank you for your inquiry regarding IBM Software.

Any and all prices herein are suggested prices only and are subject to change at IBM's sole discretion. Products listed herein are subject to withdrawal or modification by IBM at any time at IBM's sole discretion. Final coverage dates for new license, Software Subscription and Support reinstatement, and Software Subscription and Support renewal part numbers will be based upon IBM's acceptance of the order, and as specified in the applicable agreements, irrespective of the dates which may appear in this quote.

This quotation is valid from 06-Feb-2013 and will expire on 30-Apr-2013.

Your order will be governed by and is subject to the terms of your Passport Advantage Agreement or the Passport Advantage Express Agreement, as applicable, against which this transaction will be placed.

If you need assistance with placing your order or wish to discuss your quotation, please contact the IBM Representative noted below.

Yours sincerely,

Brett Holdridge
Phone Number: 1-972-906-4458
Fax Number: 1-845-491-2181
E-mail Address: bholdrid@us.ibm.com



As you may already be aware, IBM has completed the acquisition of MRO Software, Inc., and as a result, MRO Software is now a wholly-owned subsidiary of IBM.

MRO Software based in Bedford, MA, created Maximo, a leading asset management software product.

The purpose of this letter is to confirm that the Maximo software product is licensed solely by IBM. In addition, IBM is the sole source of product updates for Maximo and for new versions or releases of Maximo. Licenses and related maintenance, subscription or support can be acquired directly from IBM or through an authorized IBM reseller. IBM resellers can independently establish their own prices for Maximo software licenses and related maintenance, subscription or support.

We are confident that combining MRO Software resources/solutions with IBM's skilled sales and services resources to provide consulting, implementation and support will give customers a more efficient and effective partner to help them realize the benefits of their asset management system.

MRO Software and IBM appreciate your investment in the Maximo products and will continue to work hard to earn your business. We look forward to working with you, to earning your continued trust and to helping you meet your specific business needs.



CITY OF ATLANTA

Kasim Reed
Mayor

SUITE 1900
55 TRINITY AVENUE, SW
ATLANTA, GA 30303
(404) 330-6204 Fax: (404) 658-7705
Internet Home Page: www.atlantaga.gov

DEPARTMENT OF PROCUREMENT
Adam L. Smith, Esq., CPPO, CPPB
Chief Procurement Officer
asmith@atlantaga.gov

August 22, 2012

SOLE SOURCE-SS-6168PL PROCUREMENT CERTIFICATION

This sole source request is made for IBM Corporation for the MAXIMO Asset Management Software Subscription and Support Services for the City of Atlanta, Department of Watershed Management.

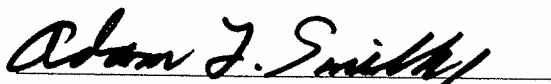
Having conducted an investigation of the available sources regarding the materials, goods and/or services stipulated herein pursuant to § 2-1191 of the City of Atlanta Code of Ordinances, Sole Source Procurement, my findings are the following:

1. IBM Corp. - Is the sole source vendor for the MAXIMO software applications, maintenance, support, and services. The MAXIMO maintenance and support agreement include any new releases and/or updates of the MAXIMO software system.
2. IBM Corp. - Has been formed over nearly 100 years of doing business in the field of information-handling. Nearly all of the company's products were designed and developed to record, process, communicate, store, and retrieve information. IBM helped pioneer information technology over the years and it stands today at the forefront of a worldwide industry that is revolutionizing the way in which enterprises, organizations, people operate, and thrive.
3. IBM Corp. - Is located at 4111 Northside Parkway, Atlanta, GA 30327-3098.

This sole source verification was confirmed by Mr. Brett Holdridge of IBM Corporation. And, the sole source product information was researched and obtained from website www.IBM.com.

I, Adam L. Smith, by the authority vested in me pursuant to § 2-1191, do hereby approve, direct and authorize the sole source procurement for the Budget Year: ("2012-2013").

The IBM Corporation, for the MAXIMO Asset Management Software Subscription and Support Services, will be used for the maintenance, support, and services for the City of Atlanta, Department of Watershed Management.


Adam L. Smith

International Business Machines Corporation

International Business Machines Corporation, PO Box 643600, Pittsburgh, PA 15264-3600



Migration to Passport Advantage Quote

Quotation Number: 16044467
IBM Contact: Brett Holdridge
Phone Number: 1-972-906-4458

Quote Effective Date: 06-Feb-2013
Quote Expiration Date: 30-Apr-2013

Passport Advantage Site Number: 7927363
Quotation SVP Level: GV

Customer:
Attn: Russ Carboni
City Of Atlanta
55 Trinity Avenue
ATLANTA GA 30303
UNITED STATES

Payer: 7927363
City Of Atlanta
55 Trinity Avenue
ATLANTA GA 30303
UNITED STATES

Item	Part Number	Quantity	Points	Unit SVP Price	Discounted Price	Extended Amount
IBM Maximo Adapter for Microsoft Project Authorized User Annual SW Subscription & Support Renewal						
001	E04QULL	50	33.00	71.40	57.10	2,855.24
01-Apr-2013 - 31-Oct-2013						
IBM Maximo Asset Management Authorized User Annual SW Subscription & Support Renewal						
002	E0AUULL	240	1,077.60	483.93	387.12	92,908.80
01-Apr-2013 - 31-Oct-2013						
IBM Maximo Asset Management Limited Use Authorized User Annual SW Subscription & Support Renewal						
003	E0AUTLL	90	201.60	242.96	194.36	17,492.40
01-Apr-2013 - 31-Oct-2013						
Applicable tax will be recalculated at the time of order processing.						
Total Points: 1,312.20						
						Subtotal in USD: 113,256.44
						Total in USD: 113,256.44
Your order is governed by and subject to the terms of your Passport Advantage Agreement or the Passport Advantage Express Agreement, as applicable, against which this transaction will be placed.						

Useful/Important Web resources:

Passport Advantage information, customer secure site access, training, etc.: ibm.com/software/passportadvantage

IBM's International Program License Agreement and product License Information documents: ibm.com/software/sla

IBM Software Support Web site: ibm.com/software/support

IBM Customer Number: 1753605

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: CANDACE L. BYRD

Dept.'s Legislative Liaison: Maisha L. Wood

Contact Number: 404-330-6887

Originating Department: Watershed Management

Committee(s) of Purview: Finance/Executive Committee

Chief of Staff Deadline: February 22, 2013

Anticipated Committee Meeting Date(s): March 13, 2013

Anticipated Full Council Date: March 18, 2013

Legislative Counsel's Signature: *Patricia M. Hall*

Commissioner's Signature: *J. Macrina*

Chief Financial Officer: n/a

Chief Information Officer Signature (for IT Procurements): *M. D. Ryan*

Chief Procurement Officer Signature: *Adam J. Smith*

CAPTION

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE SOLE SOURCE PROCUREMENT NO. SS-6168-PL WITH IBM CORPORATION FOR TECHNICAL SUPPORT SERVICES OF THE IBM TIVOLI MAXIMO ASSET MANAGEMENT SYSTEM ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED THIRTEEN THOUSAND, TWO-HUNDRED FIFTY-SIX DOLLARS AND FORTY-FOUR CENTS (\$113,256.44); ALL CONTRACT WORK SHALL BE CHARGED TO AND PAID FROM FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER 5051 (WATER & WASTEWATER REVENUE) 170113 (DWM-INFORMATION SYSTEMS) 5213001 (CONSULTING/PROFESSIONAL) 1535000 (DATA PROCESSING / MANAGEMENT); AND FOR OTHER PURPOSES.

FINANCIAL IMPACT: (if any) \$113,256.44

Mayor's Staff Only

Received by CPO: _____
(date)

Received by LC from CPO: _____
(date)

Received by Mayor's Office: 2.22.13
(date)

Reviewed by: *[Signature]*
(date)

Submitted to Council: _____ (date)